

State of North Carolina
Department of Environment,
Health and Natural Resources
Raleigh Regional Office

James B. Hunt, Jr., Governor
Jonathan B. Howes, Secretary
Boyce A. Hudson, Regional Manager



DIVISION OF WASTE MANAGEMENT

February 10, 1997

CERTIFIED MAIL

RETURN RECEIPT REQUEST

Mr. Frank Franciosi, General Manager
RT Soil Sciences
Fountain Industrial Park
P.O. Box 1179
Rocky Mount, North Carolina 27802

**Re: Reuse Technology Swift Creek
Coal Fly Ash Structural Fill Site**

Dear Mr. Franciosi :

On February 3rd, 1997, a complaint was referred to my office from The Division of Air Quality concerning the Coal Fly Ash Structural Fill site Operated by Reuse Technology/ RT Soil Sciences and located on US Hwy 301 North of Battleboro and known as the Swift Creek site. This complaint concerns fly ash being blown from this facility to the adjacent property owned by Ms. Deborah Amato (an 8.22 acre tract parcel ID# 387400090779) in Nash County. Ms. Amato states that her house is stained black from blown fly ash originating from the facility, and that the ash penetrates her house which requires her to dust daily. Ms. Amato also states in the complaint that she suffers from swollen lymph nodes, gastrointestinal problems, and fatigue and that she believes the exposure to the blown fly ash intensifies her health problems.

On February 4, 1997, I visited the home of Ms. Amato in response to the complaint. During this visit I did not observe any particular evidence of fly ash deposits on the outside of Ms. Amato's house or other structures in her yard. I then entered Ms. Amato's house, she then dusted behind a picture frame and along the top of a doorjamb in the kitchen. I did observe that the dust was a dark gray color. I then walked over the facility and observed that fly ash had been deposited on the site less than 25 feet from the southern boundary with Ms. Amato's property line, and that ash may have been deposited less than 50 feet from the surface water body along the back.

Depositing the fly ash less than 100 feet from any property line and less than 50 feet from the adjacent surface water body is a violation of the letter of agreement submitted to the Division by Reuse Technology Inc. dated November 11, 1991, and the final approval letter from the Division to Reuse Technology which was dated December 3, 1991.

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Therefore Reuse Technology must bring the facility into compliance with the conditions stated in the letter dated November 11, 1991, with 30 days of the receipt of this letter by:

- I.** Remove the fly ash deposited within 100 feet from all property lines and 50 feet from the surface water body and place on other areas of the site;
- II.** To prevent any ash from blowing, maintain the moisture level of the ash being transporting to the site to 15%;
- III.** Wet the ash on site as necessary to prevent any ash from blowing.

Pursuant to N.C.G.S. 130A-22(a) and 15A N.C.A.C. 13B .0701 - .0707, an administrative penalty of up to \$5000.00 per day may be assessed for violation of the Solid Waste Management Laws or Regulations.

It is my understanding that this work has already begun to bring the site into compliance, if I can be of any assistance please contact me at 919/571 4700.

Ben Barnes



Waste Management Specialist
Solid Waste Section
Raleigh Regional Office

cc: Phil Prete, Field Operations Branch Head
Terry Dover, Eastern Area Supervisor
Robert J. Waldrop, Vice President EH&S
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